

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KATHI RAFFONE,

Plaintiff,

Hon. Janet T. Neff

v.

Case No. 1:08-cv-00646

BRIAN JEFFRIES , et al.,

Defendants.

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**REPORT AND RECOMMENDATION**

This matter is before the Court on Plaintiff's Motion to Withdraw Complaint (Dkt. 12), which was referred to the undersigned by the Honorable Janet T. Neff for report and recommendation. Plaintiff seeks to have her case dismissed with prejudice. Defendant has filed a response concurring in the relief requested, and the Court sees no reason the motion should not be granted. As such:

**IT IS HEREBY RECOMMENDED** that Plaintiff's Motion to Withdraw Complaint (Dkt. 12) be **granted**, and that Plaintiff's case be dismissed with prejudice.

Respectfully submitted,

Date: October 9, 2008

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/s/ Ellen S. Carmody  
ELLEN S. CARMODY  
United States Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within ten (10) days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).